

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF SOUTH CAROLINA

Amelia Woods-Salters,)	C/A No.: 1:19-3406-SVH
)	
Plaintiff,)	
)	
vs.)	
)	ORDER
Andrew M. Saul,)	
Commissioner of Social Security)	
Administration,)	
)	
Defendant.)	
)	

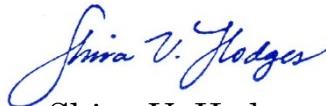
This matter is before the court on the parties' stipulation for an award of attorney's fees. [ECF No. 28]. On September 10, 2020, the court reversed the Commissioner's decision that had denied Plaintiff's claims for Disability Insurance Benefits and Supplemental Security Income. [ECF No. 24]. Plaintiff then filed and documented a request for fees, costs, and expenses pursuant to the Equal Access to Justice Act, 28 U.S.C. § 2412 ("the EAJA"), as well as a supplemental motion. [ECF Nos. 26, 27]. The parties subsequently filed this motion, whereby Plaintiff agreed to withdraw his prior motion for attorney fees and the parties agree to stipulate to an award of \$4,250 in attorney fees, \$400 in costs, and \$23 in expenses. [ECF No. 28]. Considering the agreement among the parties, the court grants the motion and directs the Commissioner to pay Plaintiff \$4,673, representing \$4,250 in attorney fees, \$400 in costs, and \$23 in expenses. Payment of \$4,673 shall

constitute a complete release from and bar to any and all further claims that Plaintiff may have under the EAJA to fees, costs, and expenses incurred in connection with disputing the Commissioner's decision. This award is without prejudice to the rights of Plaintiff's counsel to seek attorney fees under section 206(b) of the Social Security Act, 42 U.S.C. § 406(b), subject to the offset provisions of the EAJA.

Under *Astrue v. Ratliff*, 130 S.Ct. 2521, 2528–29 (2010), EAJA fees awarded by this court belong to Plaintiff and are subject to offset under the Treasury Offset Program (31 U.S.C. § 3716(c)(3)(B) (2006)). Therefore, the court orders the EAJA fee to be made payable to Plaintiff and mailed to the business address of Plaintiff's counsel.¹

IT IS SO ORDERED.

December 21, 2020
Columbia, South Carolina



Shiva V. Hodges
United States Magistrate Judge

¹ Plaintiff's counsel may disburse these funds to satisfy valid liens or in accordance with a lawful assignment.